

TTAB

Re: Trademark

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: October 16, 2003

TRANSMITTAL LETTER

File No.: A3,061

In re: Trademark Application of Sugaree Baking Co., L.L.C.

Mark: SUGAREE BAKING COMPANY

Appl. No.: 76/456,211

Filed: October 7, 2002

Int'l Class: 35

Published: June 24, 2003 (T.M.O.G. 465)

Attorney Docket No.: A3,061



10-20-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

TO THE COMMISSIONER FOR TRADEMARKS:

Sir:

Enclosed herewith are the documents set forth hereinbelow for processing:

THIRD REQUEST UNDER 37 C.F.R. § 2.102 WITH CONSENT BY APPLICANT FOR
EXTENSION OF TIME FOR FILING AN OPPOSITION with attached Exhibit A in triplicate
(3 pages); and a return postcard.

Also enclosed is my check in the sum of \$N/A for the required fee.

Please charge any additional fees or credit any overpayment concerning
the filing of the enclosed documents to Deposit Account No. 23-0125.

Respectfully submitted,

Mary Jennifer Russell, d/b/a/
Sugaree's Bakery

Date: 10/16/2003

By: Russell H. Walker

I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first class mail in an en-
velope addressed to: TTAB-No Fee, Com-
missioner for Trademarks, 2900 Crystal Dr.,
Arlington, VA 22202, on 10/16/2003

Russell H. Walker
Russell H. Walker Reg. No. 35,401
Date: 10/16/2003

Russell H. Walker
WALKER, MCKENZIE & WALKER, P.C.
6363 Poplar Ave., Suite 434
Memphis, TN 38119-4896
Tel. No. (901) 685-7428
Registration No. 35,401
Attorney for Potential Opposer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Trademark Application of Sugaree Baking Co., L.L.C.
Mark: SUGAREE BAKING COMPANY
Application No.: 76/456,211
Filed: October 7, 2002
Int'l Class(es): 035
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Att'y Docket No.: A3,061



BOX TTAB - NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

10-20-2003

U.S. Patent & TMOc/TM Mail Rpt Dt. #22

THIRD REQUEST UNDER 37 C.F.R. § 2.102

WITH CONSENT BY APPLICANT

FOR EXTENSION OF TIME FOR FILING AN OPPOSITION

1 Sir:

2 Mary Jennifer Russell, a United States citizen d/b/a/ Sugaree's Bakery, having a principal
3 place of business and mailing address of 110 West Bankhead Street, New Albany, Mississippi
4 38652, requests that the time for filing a Notice of Opposition to the above-captioned application
5 be extended for an additional thirty (30) days, to and including November 21, 2003 (*i.e.*, until
6 and including 150 days from the date of Publication).

7 Prior extensions of time totaling one hundred twenty (120) days from the date of
8 Publication (*i.e.*, until and including October 22, 2003) were previously requested so that a
9 preliminary investigation could be conducted and a settlement negotiated. Settlement
10 negotiations are still ongoing between the potential opposer and applicant, and it is believed that
11 this additional extension of time will allow time for those settlement negotiations to be
12 concluded.

1 This morning (October 16, 2003), David W. Cody, attorney of record for applicant,
2 consented to this additional extension in a telephone conversation with Regan S. Russell, one of
3 potential opposer's attorneys, and Mr. Cody confirmed that consent in a letter dated October 16,
4 2003, via facsimile to Mr. Russell on that date. A copy of that letter confirming consent by
5 applicant's attorney of record is attached hereto as Exhibit A.

6 *Two duplicate copies of this request are attached, as required.*

7 Respectfully submitted,

8 Mary Jennifer Russell, d/b/a Sugaree's Bakery

9 Date: 10/16/2003

By: Russell H. Walker

10 Russell H. Walker
11 Walker, McKenzie & Walker, P.C.
12 6363 Poplar Ave., Suite 434
13 Memphis, Tennessee 38119-4896
14 Tel. No. (901) 685-7428
15 U.S.P.T.O. Registration No. 35,401
16 Attorney for Potential Opposer

17 *Certificate of Mailing under 37 C.F.R. § 2.197* - I hereby certify that the foregoing Third Request
18 under 37 C.F.R. § 2.102 with Consent of Applicant for Extension of Time for Filing an
19 Opposition with an attached Exhibit A, together with two duplicate copies thereof, is being
20 deposited as U.S. First Class Mail, postage prepaid, on **October 16, 2003**, in an envelope
21 addressed to:

22 Box TTAB - No Fee
23 Commissioner for Trademarks
24 2900 Crystal Drive
25 Arlington, Virginia 22202-3514

26 Date: 10/16/2003

Russell H. Walker

27 Russell H. Walker
28 U.S.P.T.O. Registration No. 35,401



Law Offices of

JOSEPH S. RUBIN, L.L.C.
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October 16, 2003

Via Fax 662-539-0134

Regan S. Russell
Law Offices of Regan S. Russell, P.A.
Post Office Box 909
100-D East Main Street
New Albany, Mississippi 38652

Re Sugaree Baking Company; Serial Number 76456211

Dear Mr. Russell:

Pursuant to our conversation of this morning, my client, Sugaree Baking Co., consents to an additional thirty day extension of time with the United States Patent and Trademark Office, in order to allow us wind this matter up. Please call with any questions.

Very truly yours,

David W. Cody

DWC/sf
Enclosure
cc: client